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FLESHNER & KIM, LLP			BELIVEAU, SCOTT E	
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CHANTILLY, VA 20153			PAPER NUMBER	
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DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/841,007

Applicant(s)

LEE, JAE KYUNG

Examiner

Scott Beliveau

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings were received on 25 April 2001 are approved in view of applicant's amendment to the specification.

Response to Arguments

2. Applicant's arguments with respect to claims 1-33 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

3. Claim 20 is objected to because the recitation of "the plurality of translation sites" lacks proper antecedent basis. For the purpose of art evaluation, the examiner shall assume that the claim is referencing "a plurality of translation sites". Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 26 and 30 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the

claimed invention. In particular, the claimed limitations require that the “audio information and the translated character information displayed on the screen remain continuously synchronized”. The specification only discloses that the audio information and the translated character information remain synchronized, but it does not specify that such remain continuously synchronized. For example, given that closed caption information is not necessarily continuously synchronized with the audio programming, it would follow that an invention which relies upon an Internet relay for translation would not inherently support continuous synchronization.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 12, 18, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikinis (US Pat No. 5,929,849) in view of Scanlan (US Pat No. 6,857,022).

Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55.

See MPEP § 201.15.

In consideration of claim 1, the Kikinis reference discloses a “TV” [11/51] that operates as web browser and comprises a “control unit” [19] “configured to receive character information in a first language” corresponding to a web-page and a “video processing unit”

[33] “configured to receive the . . . character information” corresponding to the web-page and to “display the . . . character information on a screen” [51] (Figure 2C). The reference, however, is silent with respect to the particular usage of the “network interface” [35/39] so as to particularly receive a translated version of the web-page should the user be unable to read the retrieved page.

In a related art pertaining to the translation of character information, the Scanlan reference discloses a device with a web-browser “having a language selection function”. The device comprises a “control unit” associated with a user’s web browser to “receive character information in a first language”, to “send the character information to a translation site” [4] through a “network interface” interconnecting the user terminal [1] with the “translation site” (ex. Internet) “if it is determined that the first language does not correspond to a selected language” as determined by the user, and to “receive the translated character information corresponding to the selected language” for subsequent display (Scanlan: Figure 1; Col 3, Line 1-45). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made so as to modify Kikinis such that the “control unit” and “video processing units” are further “configured” to transmit a received character information for translation as taught by Scanlan for the purpose of advantageously providing a simple and convenient means for a potential purchaser that speaks a “foreign language” to rapidly obtain understandable information (Scanlan: Col 1, Line 53 – Col 2, Line 3).

Claim 12 is rejected in light of the combined teachings of Kikinis and Scanlan. In particular, the combined teachings set forth a “TV” [11/51] (Kikinis: Figure 1) “having a language selection function” comprising a “network interface unit” [35/39] which is

“configured to contact a translation site” (Scanlan: Figure 1). The device comprises a “storing unit” [49] (Kikinis: Figure 1) “configured to store contact information for at least one translation site” [4] (Scanlan: Col 5, Lines 12-31) which corresponds to a plurality of languages and an operation program related to translation”. The particular “storing unit” is necessary to be “configured to store contact information for at least one translation site” or else the particular one-click operation that actuates the distribution of the received web-page to the translation site cannot occur. The “TV” [11/51] further comprises a “control unit” [19] that is “configured to contact a translation site corresponding to a selected language based on the contact information stored in the storing unit, to transmit character information to be translated in accordance with the operation program stored in the storing unit” and to “receive translated character information from the translation site” (Scanlan: Figure 1; Col 3, Lines 1-37). A “video processing unit” [33] is subsequently “configured to display the translated character information on a screen” [51] (Kikinis : Figure 2C).

Claim 18 is rejected in light of the combined teachings of Kikinis and Scanlan which, taken in combination, disclose “a control method for a TV having a language selection function”. In particular, the Kikinis reference discloses “receiving character information in a first language” corresponding to a received web-page. Subsequently, “if it is determined that the character information does not correspond to a selected language” understandable by the operator, the user actuates the “TV” to “contact an appropriate translation site through a network interface” wherein upon the “translated character information [is displayed] on a screen” [51] associated with the television upon being sent back to the user via the translation server (Scanlan: Figure 1).

Claim 23 is rejected in light of the combined teachings of Kikinis and Scanlan which disclose “a control method for a TV having a language selection function”. The method comprises “determining if a language of character information included in a signal corresponds to a selected language” by the user whereupon the system “requests translation of the character information by contacting an internet translation site corresponding to the selected language by selecting an appropriate translation site from a plurality of translation sites and transmitting the character information to the selected translation site if the language of the character information included in the signal is different from the selected language” of the user (Scanlan: Figures 1-6 and 11; Col 1, Lines 38-55; Col 3, Line 1 - Col 4, Line 13; Col 4, Line 61 – Col 6, Line 11; Col 8, Lines 32-45). The system subsequently receives and “displays the translated character information on a screen substantially in synch with corresponding audio information” associated with the television commercial associated with the conventional television broadcast.

8. Claims 1, 12, 18, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watts et al. (US Pat No. 6,324,694) in view of Scanlan (US Pat No. 6,857,022).

Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55.

See MPEP § 201.15.

In consideration of claim 1, the Watts et al. reference discloses a “television” (Figures 5 and 6) (Col 11, Lines 1-20) comprising a “control unit” [602] (Col 10, Lines 37-51; Col 11, Line 21 – Col 12, Line 46) “configured to receive character information in a first language” corresponding to supplemental content such as that corresponding to a web-page and a

“video processing unit” [115] “configured to receive the . . . character information” corresponding to the supplemental content and to “display the . . . character information on a screen” [502] (Col 3, Line 47 – Col 4, Line 23). The reference, however, is silent with respect to the usage of the “network interface” [624] (Col 11, Lines 45-52) so as to particularly receive a translated version of the web-page or supplemental content should the user be unable to read the retrieved page.

In a related art pertaining to the translation of character information, the Scanlan reference discloses a device with a web-browser “having a language selection function”. The device comprises a “control unit” associated with a user’s web browser to “receive character information in a first language”, to “send the character information to a translation site” [4] through a “network interface” interconnecting the user terminal [1] with the “translation site” (ex. Internet) “if it is determined that the first language does not correspond to a selected language” as determined by the user, and to “receive the translated character information corresponding to the selected language” for subsequent display (Figure 1; Col 3, Line 1-45). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made so as to modify Watts et al. such that the “control unit” and “video processing units” are further “configured” so as to transmit a received character information for translation as taught by Scanlan for the purpose of advantageously providing a simple and convenient means for a potential purchaser that speaks a “foreign language” to rapidly obtain understandable information (Scanlan: Col 1, Line 53 – Col 2, Line 3).

Claim 12 is rejected as aforementioned in light of the combined teachings of Watts et al. and Scanlan. In particular, the combined teachings set forth a “TV” (Figures 5 and 6) (Watts

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et al.: Col 11, Lines 1-20) “having a language selection function” comprising a “network interface unit” [624] (Watts et al.: Col 11, Lines 45-52) which is “configured to contact a translation site” [4] (Scanlan: Figure 1). The device comprises a “storing unit” [614] “configured to store contact information for at least one translation site which corresponds to a plurality of languages and an operation program related to translation” (Scanlan: Col 5, Lines 12-31). The particular “storing unit” is necessary to be “configured to store contact information for at least one translation site” or the system would not be able to automatically contact the associated remote translation site. The “TV” further comprises a “control unit” [602] (Watts et al.: Col 10, Lines 37-51; Col 11, Line 21 – Col 12, Line 46) that is “configured to contact a translation site corresponding to a selected language based on the contact information stored in the storing unit, to transmit character information to be translated in accordance with the operation program stored in the storing unit” and to receive translated character information from the translation site” (Scanlan: Figure 1). A “video processing unit” [115] is subsequently “configured to display the translated character information on a screen” [502] (Watts et al.: Col 3, Line 47 – Col 4, Line 23).

Claim 18 is rejected in light of the combined teachings of Watts et al. and Scanlan which, as previously set forth, disclose “a control method for a TV having a language selection function”. In particular, the Watts et al. reference discloses “receiving character information in a first language” corresponding to received supplemental content such as a web-page. Subsequently, “if it is determined that the character information does not correspond to a selected language” understandable by the operator, the user actuates the “TV” to “contact an appropriate translation site through a network interface” wherein upon the “translated

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character information [is displayed] on a screen” (Scanlan: Figure 1) associated with the television of Watts et al. upon being sent back to the user via the translation server so as to be displayed synchronously with the broadcast program.

Claim 23 is rejected in light of the combined teachings of Watts et al. and Scanlan, which taken in combination, disclose “a control method for a TV having a language selection function”. The method comprises “determining if a language of character information included in a signal corresponds to a selected language” by the user whereupon the system “requests translation of the character information by contacting an internet translation site corresponding to the selected language by selecting an appropriate translation site from a plurality of translation sites and transmitting the character information to the selected translation site if the language of the character information included in the signal is different from the selected language” of the user (Scanlan: Figures 1-6 and 11; Col 1, Lines 38-55; Col 3, Line 1 - Col 4, Line 13; Col 4, Line 61 – Col 6, Line 11; Col 8, Lines 32-45). The system subsequently receives and “displays the translated character information on a screen substantially in synch with corresponding audio information” (Watts et al.: Col 3, Line 56 – Col 4, Line 49).

9. Claims 1, 2, 12, 13, 18, 20, 21, 23-29, and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watts et al. (US Pat No. 6,324,694) in view of Berstis et al. (US Pat No. 6,901,367).

In consideration of claim 1, the Watts et al. reference discloses a “television” (Figures 5 and 6) (Col 11, Lines 1-20) comprising a “control unit” [602] (Col 10, Lines 37-51; Col 11, Line 21 – Col 12, Line 46) “configured to receive character information in a first language”

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corresponding to supplemental content such as that corresponding to a web-page and a “video processing unit” [115] “configured to receive the . . . character information” corresponding to the supplemental content and to “display the . . . character information on a screen” [502] (Col 3, Line 47 – Col 4, Line 23). The reference, however, is silent with respect to the particular usage of the “network interface” [624] (Col 11, Lines 45-52) so as to particularly receive a translated version of the web-page or supplemental content should the user be unable to read the retrieved page.

In a related art pertaining to enhanced communication by providing language translation of received messages, the Berstis et al. reference discloses a method for the selection of languages associated with a received communication including but not limited to web-pages (Col 4, Lines 24-35). In particular, as outlined in Figure 3, a “control unit” [12] is “configured to receive character information in a first language” whereupon “if it is determined that the first language does not correspond to a selected language” [309], the “control unit” [12] is configured to “send the character information to a translation site through a network interface” [311] and to “receive the translated character information from the translation site” [316] and to “display the translated character information on a screen” [317] (Col 7, Line 38 – Col 8, Line 3). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made so as to modify the Watts et al. system so as to further translate incoming communications or supplemental data, if necessary, as taught by Berstis et al., for the purpose of providing a means to advantageously remove language barriers to viewers and to provide for the automatic translation of

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communications for received communications (Berstis et al.: Col 1, Lines 16-27; Col 2, Lines 21-37).

Claim 12 is rejected as aforementioned in light of the combined teachings of Watts et al. and Berstis et al. In particular, the combined teachings set forth a “TV” (Figures 5 and 6) (Watts et al.: Col 11, Lines 1-20) “having a language selection function” comprising a “network interface unit” [624] (Watts et al.: Col 11, Lines 45-52) which is “configured to contact a translation site” such as AltaVista™ in light of the combined teachings. The device comprises a “storing unit” [614] “configured to store contact information for at least one translation site which corresponds to a plurality of languages and an operation program related to translation” (Berstis et al.: Col 1, Lines 61-63). The particular “storing unit” is necessary to be “configured to store contact information for at least one translation site” or the system would not be able to automatically contact the associated remote translation site. The “TV” further comprises a “control unit” [602] (Watts et al.: Col 10, Lines 37-51; Col 11, Line 21 – Col 12, Line 46) that is “configured to contact a translation site corresponding to a selected language based on the contact information stored in the storing unit, to transmit character information to be translated in accordance with the operation program stored in the storing unit” and to receive translated character information from the translation site” (Berstis et al.: Col 7, Line 38 – Col 8, Line 3). A “video processing unit” [115] is subsequently “configured to display the translated character information on a screen” [502] (Watts et al.: Col 3, Line 47 – Col 4, Line 23).

Claim 18 is rejected in light of the combined teachings of Watts et al. and Berstis et al. are previously set forth which taken in combination disclose “a control method for a TV

having a language selection function". In particular, the Watts et al. reference discloses "receiving character information in a first language" corresponding to received supplemental content such as a web-page. Subsequently, "if it is determined that the character information does not correspond to a selected language" understandable by the operator, the user actuates the "TV" to "contact an appropriate translation site through a network interface" wherein upon the "translated character information [is displayed] on a screen" associated with the television of Watts et al. upon being sent back to the user via the translation server so as to be displayed synchronously with the broadcast program (Berstis et al.: Col 7, Line 38 – Col 8, Line 3).

In consideration of claim 23, the Watts et al. reference discloses a "control method for a TV" (Figure 5) (Col 11, Lines 1-20). The Watts et al. reference discloses a system and method for receiving "character information included in a signal" corresponding to supplemental content such as a web-page which is to be "displayed . . . on a screen substantially in synch with corresponding audio information" (Col 3, Line 56 – Col 4, Line 49). The reference, however, is silent with respect to the particular steps associated with determining if the received character information corresponding to the supplemental content is necessarily in a language appropriate to the viewer.

In a related art pertaining to enhanced communication by providing language translation of received messages, the Berstis et al. reference discloses a method for the selection of languages associated with a received communication including but not limited to web-pages (Col 4, Lines 24-35). In particular, as outlined in Figure 3 (Col 7, Line 38 – Col 8, Line 3), the system "determines if a language of character information included in a signal

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corresponds to a selected language” [309], “requests translation of the character information by contacting an internet translation site corresponding to the selected language by selecting an appropriate translation site from a plurality of translation sites” [311] (Col 1, Line 47 – Col 2, Line 20), “transmits character information to the selected translation site if the language of the character information included in the signal is different from the selected language” [309/311], “receives the translated character information from the translation site” [316] and “displays the translated character information on a screen” [317]. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made so as to modify the Watts et al. system so as to further translate incoming communications or supplemental data, if necessary, as taught by Berstis et al., for the purpose of providing a means to advantageously remove language barriers to viewers and to provide for the automatic translation of communications for received communications (Berstis et al.: Col 1, Lines 16-27; Col 2, Lines 21-37).

Claims 2 and 13 are rejected wherein the system further comprises an “audio processing unit” [115] which is “configured to process audio information synchronized with the translated character information displayed on the screen” (Watts et al.: Abstract; Figures 3-4; Col 3, Line 34 – Col 4, Line 33).

Claim 20 is rejected in view of the combined references wherein the system “contacts a translation site based on language information and previously stored contact information related to a plurality of translation sites” such as AltaVista™ (Berstis et al.: Figure 3) The claims do not require that the “plurality of translation sites” are necessarily distinctive entities as opposed to a single entity which serves as a “plurality of translation sites” for a

plurality of languages (ex. contact information for AltaVista™ serves as contact information related to a translation site for French and a translation site for Japanese and is therefore logically related to a plurality of translation sites). As aforementioned, the previous storing of contact information is necessary or else the system would not be able to automatically contact the associated remote translation site. Subsequently, the system “request translation of character information by transmitting the character information to the translation site” [311] and “receives translated character information from the translation site” [316] (Berstis et al.: Col 7, Line 38 – Col 8, Line 3).

Claim 21 is rejected wherein the “language information comprises user language information which defines the selected language and character language information which defines a language of character information included in a signal” (Berstis et al.: Col 5, Line 64 – Col 6, Line 4; Col 6, Lines 33-52).

Claims 24 and 27 are rejected wherein the “video processing unit” [115] is “configured to “receive the translated character information on the screen in synch with at least one other component of a corresponding television signal” (Watts et al.: Abstract; Figures 3-4; Col 3, Line 34 – Col 4, Line 33).

Claims 25 and 28 are rejected wherein the “television signal comprises at least audio information, video information, and the character information” (Watts et al.: Col 2, Line 63 – Col 3, Line 22; Col 4, Lines 34-49)

Claim 26 is rejected wherein the “audio information and the translated character information displayed on the screen remain continuously synchronized” throughout the

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progression of a program (Watts et al.: Figures 3-4; Col 4, Lines 50-61; Col 5, Line 56 – Col 8, Line 16; Col 8, Line 53 – Col 9, Line 49).

Claim 29 is rejected wherein the “translated character information is displayed in synch with corresponding audio information” (Watts et al.: Col 3, Line 56 – Col 4, Line 49).

Claim 31 is rejected wherein the “signal comprises a broadcast signal” (Watts et al.: Col 4, Lines 23-48).

Claims 32 and 33 are rejected wherein the “translation site is selected from a plurality of previously stored translation sites” such as those provided by AltaVista™ (Berstis et al.: Figure 3). As aforementioned, the claims do not require that the “plurality of translation sites” are necessarily distinctive entities as opposed to a single entity which serves as a “plurality of translation sites” for a plurality of languages (ex. contact information for AltaVista™ serves as contact information related to a translation site for French and a translation site for Japanese and is therefore logically related to a plurality of translation sites).

10. Claims 1, 3, 4, 11, 12, 14, 18, 20, 21, 23, 32, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikinis (US Pat No. 5,929,849) in view of Berstis et al. (US Pat No. 6,901,367).

In consideration of claim 1, the Kikinis reference discloses a “TV” [11/51] that operates as web browser and comprises a “control unit” [19] “configured to receive character information in a first language” corresponding to a web-page and a “video processing unit” [33] “configured to receive the . . . character information” corresponding to the web-page and to “display the . . . character information on a screen” [51] (Figure 2C). The reference,

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however, is silent with respect to the usage of the “network interface” [35/39] to particularly receive a translated version of the web-page should the user be unable to read the retrieved web-page.

In a related art pertaining to enhanced communication by providing language translation of received messages, the Berstis et al. reference discloses a method for the selection of languages associated with a received communication including but not limited to web-pages (Col 4, Lines 24-35). In particular, as outlined in Figure 3, a “control unit” [12] is “configured to receive character information in a first language” whereupon “if it is determined that the first language does not correspond to a selected language” [309], the “control unit” [12] is configured to “send the character information to a translation site through a network interface” [311] and to “receive the translated character information from the translation site” [316] and to “display the translated character information on a screen” [317] (Col 7, Line 38 – Col 8, Line 3). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made so as to modify Kikinis so as to further translate incoming communications or web-pages, if necessary, as taught by Berstis et al., for the purpose of providing a means to advantageously remove language barriers to viewers and to provide for the automatic translation of communications for received communications (Berstis et al.: Col 1, Lines 16-27; Col 2, Lines 21-37).

Claim 12 is rejected as aforementioned in light of the combined teachings of Kikinis and Berstis et al. In particular, the combined teachings set forth a “TV” [11/51] (Kikinis: Figure 1) “having a language selection function” comprising a “network interface unit” [35/39] (Kikinis: Col 5, Lines 56-67; Col 9, Lines 54-60) which is “configured to contact a

translation site” such as AltaVista™ in light of the combined teachings. The device comprises a “storing unit” [49] (Kikinis: Col 6, Lines 1-2; Col 9, Lines 2-3) “configured to store contact information for at least one translation site which corresponds to a plurality of languages and an operation program related to translation” (Berstis et al.: Col 1, Lines 61-63). The particular “storing unit” is necessary to be “configured to store contact information for at least one translation site” or the system would not be able to automatically contact the associated remote translation site. The “TV” further comprises a “control unit” [19] (Kikinis: Col 6, Lines 1-5) that is “configured to contact a translation site corresponding to a selected language based on the contact information stored in the storing unit, to transmit character information to be translated in accordance with the operation program stored in the storing unit” and to receive translated character information from the translation site” (Berstis et al.: Col 7, Line 38 – Col 8, Line 3). A “video processing unit” [33] is subsequently “configured to display the translated character information on a screen” [51] alongside the associated television program.

Claim 18 is rejected in light of the combined teachings of Kikinis and Berstis et al. are previously set forth which taken in combination disclose “a control method for a TV having a language selection function”. In particular, the Kikinis reference discloses “receiving character information in a first language” corresponding to received supplemental content such as a web-page. Subsequently, “if it is determined that the character information does not correspond to a selected language”, the user actuates the “TV” to “contact an appropriate translation site through a network interface” wherein upon the “translated character information [is displayed] on a screen” associated with the television of Kikinis upon being

sent back to the user via the translation server so as to be displayed synchronously with the broadcast program (Berstis et al.: Col 7, Line 38 – Col 8, Line 3).

In consideration of claim 23, the Kikinis reference discloses a “control method for a TV” [11/51] which operates as web browser which is operable to receive character information and to subsequently “display the . . . character information on a screen substantially in synch with corresponding audio information” [51] associated with the conventional television broadcast (Figure 2C). The reference, however, is silent with respect to the particular usage of the “network interface” [35/39] so as to particularly receive a translated version of the web-page should the user be unable to read the retrieved page.

In a related art pertaining to enhanced communication by providing language translation of received messages, the Berstis et al. reference discloses a method for the selection of languages associated with a received communication including but not limited to web-pages (Col 4, Lines 24-35). In particular, as outlined in Figure 3 (Col 7, Line 38 – Col 8, Line 3), the system “determines if a language of character information included in a signal corresponds to a selected language” [309], “requests translation of the character information by contacting an internet translation site corresponding to the selected language by selecting an appropriate translation site from a plurality of translation sites” [311] (Col 1, Line 47 – Col 2, Line 20), “transmits character information to the selected translation site if the language of the character information included in the signal is different from the selected language” [309/311], “receives the translated character information from the translation site” [316] and “displays the translated character information on a screen” [317]. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was

made so as to modify Kikinis so as to further translate incoming communications or supplemental data, if necessary, as taught by Berstis et al., for the purpose of providing a means to advantageously remove language barriers to viewers and to provide for the automatic translation of communications for received communications (Berstis et al.: Col 1, Lines 16-27; Col 2, Lines 21-37).

Claim 3 is rejected in view of the combined references wherein the Kikinis reference discloses a “storing unit” [49] (Kikinis: Col 6, Lines 1-2; Col 9, Lines 2-3) “configured to store contact information associated with a translation site” (Berstis et al.: Col 1, Lines 61-63). As aforementioned, the particular “storing unit” is necessary to be “configured to store contact information for at least one translation site” or the system would not be able to automatically contact the associated remote translation site.

In consideration of claim 4, Kikinis teaches that “contact information” for web-pages is stored as a “URL (Uniform Resource Locator)”. Berstis discloses the particular usage of the AltaVista™ Translation web-page for facilitating remote translations. Accordingly, taken in combination, the “contact information comprise a URL (Uniform Resource Locator)”.

Claims 11 and 14 are rejected in light of the combined references wherein the “control unit” [19] is “configured to generate an OSD (On Screen Display) based on the translated character information” and to “provide the translated character information to the video processing unit” [33] “in order to display the OSD on the screen” [51] (Kikinis: Figures 2C and 3A).

Claim 20 is rejected in view of the combined references wherein the system “contacts a translation site based on language information and previously stored contact information

related to a plurality of translation sites” such as AltaVista™ (Berstis et al.: Figure 3) The claims do not require that the “plurality of translation sites” are necessarily distinctive entitles as opposed to a single entity which serves as a “plurality of translation sites” for a plurality of languages (ex. contact information for AltaVista™ serves as contact information related to a translation site for French and a translation site for Japanese and is therefore logically related to a plurality of translation sites). As aforementioned, the previous storing of contact information is necessary or else the system would not be able to automatically contact the associated remote translation site. Subsequently, the system “request translation of character information by transmitting the character information to the translation site” [311] and “receives translated character information from the translation site” [316] (Berstis et al.: Col 7, Line 38 – Col 8, Line 3).

Claim 21 is rejected wherein the “language information comprises user language information which defines the selected language and character language information which defines a language of character information included in a signal” (Berstis et al.: Col 5, Line 64 – Col 6, Line 4; Col 6, Lines 33-52).

Claims 32 and 33 are rejected wherein the “translation site is selected from a plurality of previously stored translation sites” such as those provided by AltaVista™ (Berstis et al.: Figure 3). As aforementioned, the claims do not require that the “plurality of translation sites” are necessarily distinctive entitles as opposed to a single entity which serves as a “plurality of translation sites” for a plurality of languages (ex. contact information for AltaVista™ serves as contact information related to a translation site for French and a

translation site for Japanese and is therefore logically related to a plurality of translation sites).

11. Claims 5-10, 15-17, 19, 22, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikinis (US Pat No. 5,929,849), in view of Berstis et al. (US Pat No. 6,901,367), and in further view of Mighdoll et al. (US Pat No. 5,918,013).

In consideration of claims 5 and 15, the combined references are silent as to the particular usage of a “transaction relay server”. In a related art pertaining to the distribution of information to a network television, Mighdoll et al. discloses the usage of a “translation relay site server” [5] for facilitating access to and retrieving information from remote servers. In particular, the subscriber terminal “contacts a translation relay site server” [5] “by using a URL associated” with the remote server [4] and subsequently “receives . . . character information from the translation relay site server” (Mighdoll et al.: Figures 4A, 6, and 9). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made so as to particular employ a “translation relay server” such as the of Mighdoll et al. for the purpose of employing a proxy server in order advantageously improve the quality of web-pages received from the internet which are subsequently displayed on television devices (Mighdoll et al.: Col 1, Line 44 – Col 2, Line 6).

Claim 6 is rejected wherein the “control unit” [19] of Kikinis is “configured to contact the translation relay site server through a network interface unit” [35/39].

Claims 7 and 16 are rejected in view of the aforementioned combination of references wherein the “translation relay server” [5] of Mighdoll et al. is “configured to receive character information and language information from the control unit, to translate the

transmitted character information into a language corresponding to the language information” should a cached version of the requested translation exist in memory and “to transmit the translated information to the control unit” for subsequent display on the receiver (Mighdoll et al: Figures 4A and 6).

Claim 8 is rejected wherein the “language corresponding to the language information is a language selected by a user” (Berstis et al.: Figure 2; Col 6, Lines 33-52).

Claim 9 is rejected wherein the “translation relay site server” [5] is “configured to receive translated character information from the translation site in accordance with the selected language and to transmit the translated character information to the control unit” for subsequent display (Mighdoll et al: Figures 4A and 6).

Claim 10 is rejected in light of the aforementioned combined references wherein the “translation site” such as AltaVista™ is “configured to receive the character information to be translated” from the proxy server of Mighdoll et al. or “translation relay site server” [5], “to translate the character information into the selected language and to provide the translated character information to the translation relay site server” for transcoding and eventual display on the client terminal.

Claim 17 is rejected wherein the “translation relay site server” [5] is “configured to receive translated character information from the translation site and to transmit the translated character information to the control unit” (Mighdoll et al: Figures 4A and 6).

Claim 19 is rejected in light of the aforementioned combination of references as previously set forth. In particular, as previously set forth the Berstis et al. reference discloses the steps of “determining if a language of character information included in a signal

corresponds to the selected language” whereupon it “transmits the character information included in the signal to a . . . server if the language of the character information included in the signal is different from the selected language” (Berstis et al.: Figure 3). Figure 4A of the Mighdoll et al. reference illustrates the particular usage of a “translation relay site server” [5] interconnected to remote servers wherein communications derived from the client are redirected via the “translation relay site server” [5]. Therefore, taken in combination when using a network distribution architecture which utilizes a proxy server, the method comprises “transmitting the character information included in the signal to a translation relay site server . . . and transmitting the character information from the translation relay site server to a translation site” (ex. AltaVista™). The method finally “transmitting the translated character information from the translation site to the translation relay site server [which] . . . receives the translated character information” for subsequent delivery to the client.

In consideration of claim 22, the combined Kikinis and Berstis et al. references do not explicitly disclose that the “previously stored translation site contact information is updated periodically”. However, the Berstis et al. reference suggests the existence of a plurality of translation web sites over and above that provided by AltaVista™ (Berstis et al.: Col 1, Line 61-63). The Mighdoll et al. reference discloses that that server can update the list of services used by any client to reflect services becoming unavailable or services coming on-line (Mighdoll et al.: Col 15, Lines 20-46). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made, in light of the combined references, so as to “[periodically update] the previously stored translation site contact

information” for the purpose of providing the user with access to additional translation services should they become available or in case other services are temporarily off-line.

In consideration of claim 30, the combined references teach that the “audio information” associated with the conventional television broadcast and “the translated character information” associated with the translated supplemental content “displayed on the screen [are] . . . synchronized”. As to the limitation that the two “remain continuously synchronized”, it is the examiner’s understanding that such occurs given that the triggering event for the supplemental content is embedded within the video stream. For example, the reference anticipates the existence of a plurality of different types of programming each with different associated content (ex. automobile ads, political information, sporting information, etc.). Accordingly, it would seem counter to the purpose of the invention of providing supplementary information regarding displayed entities if the two did not remain “continuously synchronized”. For example, if a user watched previously watched a car commercial and is now currently watching a political discussion, it would not logically follow for the system to present supplemental content related to the automobile as opposed to information relating to the political discussion.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure as follows. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objections made.

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- The Gibbon (US Pat No. 6,473,778) reference discloses a system and method for generating a web-page corresponding to closed caption text of a program.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Beliveau whose telephone number is 571-272-7343. The examiner can normally be reached on Monday-Friday from 8:30 a.m. - 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information

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about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SEB

June 24, 2005



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SUPERVISORY PATENT EXAMINER
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